

MEETING NOTES
COMMUNITY INVOLVEMENT ADVISORY COUNCIL

June 16, 2015

Smyrna Area Rest Stop
Smyrna, Delaware

Members Present: Robert Frederick, Anthony Jay Julis, Pamela Meitner, LaVaida Owens-White, William Pelham, Marvin Thomas, Harold Truxon, Joseph Farrell

Members Absent: Jason Adkins, Gary Emory,

DNREC: James Brunswick, Patrick Emory, Nicole Bixby, Christina Wirtz

I. Meeting Called to Order

Mr. Pelham called the meeting to order at 9:33 a.m.

II. Meeting Protocol Review

Each Member read a point of the Council's protocol.

III. Review/Approval of Meeting Notes

MOTION was made by Ms. LaVaida Owens-White to approve the April 21, 2015 meeting notes and a second was made by Mr. Jay Julis. All in favor and the motion carried.

Ms. Meitner inquired on a note in the minutes that Mr. Kassab would follow up with an email answer on the \$5000 threshold requiring a purchase order. Mr. Pelham asked Mr. Brunswick to follow up with Mr. Kassab to receive clarification.

IV. 2015 Community Environmental Project Fund

A. CEPF Fiscal Update/2015 CEPF Funding Decision/2015 Funding Schedule

Mr. Brunswick advised there is another delay in funding the cycle. Mr. Brunswick advised that in April when the Council approved funding for this current funding cycle there was \$138,000 available to give out as grant funds. In between funding cycles normally you have an increase in the amount of money do to interest or penalties coming in. The funds are so low and there have been no new penalty funds into the fund. The amount of funding available June 1 was \$224,000. \$100,000 of that funding is administrative reserve. Mr. Farrell asked if these funds are obligated yet but not given out. Mr. Brunswick advised yes. Mr. Brunswick advised that there is approximately \$3,800 coming out every month due to salary, benefits and reimbursements. Ms. Meitner advised that there was a meeting with the Secretary last year advising him that

the salary portion was not allowed to be taken out of the penalty funds. She advised that the Secretary stated the practice would be stopped after January. Mr. Farrell asked if it stated in each epilogue that the salary was able to be taken out of penalty funds. Mr. Brunswick advised no. It is not an annual event. I believe that it was authorized just one time. Ms. Meitner stated that she wants to see if stopped because it is not statutorily allowed.

Mr. Brunswick advised that there was \$138,000 committed to this funding cycle and as of June 1, that amount was reduced to \$121,000. Mr. Pelham asked out of the \$121,000 what was coming out. The typical monthly expense are the .50 salary and benefits, in addition to CIAC travel. There are occasional rental and meal expenses during the CEPF funding cycles.

Mr. Pelham stated that we have an obligation to provide grants to the communities. Ms. Meitner advised there is \$100,000 in the fund, why aren't we giving it out like we are supposed to. Ms. Meitner advised that she feels we need to publish that we are accepting grant requests. She realizes that we need to publish the penalty spreadsheet, but not publish how much is available for the grants.

Mr. Farrell inquired as to how to resolve that issue. Mr. Brunswick advised to review the minutes and see what the Secretary stated. Ms. Owens-White asked if with the obligated funds was there a timeline in place for the money to be spent.

Ms. Meitner stated that the contract states work needs to be done in a year, but occasionally contracts get extensions. Ms. Owens-White inquired if there is anywhere in the contract that states the contract is being canceled because the project is not completed within the timelines. Mr. Frederick stated that the asterisks state this is not a guarantee of funds. Mr. Pelham advised we would have to respond to grant applicant that way. Ms. Meitner advised that we only have to honor the contract for a year and can ok an extension or not. Ms. Meitner feels we aren't doing a good job in following the grants issued as far as timelines and completions are concerned. Ms. Meitner feels we should have a list of outstanding balances on projects. Mr. Pelham asked Mr. Brunswick how the schedule would go out with going with the funding cycle. Mr. Brunswick advised that if we proceed with the cycle we can review the grant applications at the following meeting. The closest we could do is August 13. Mr. Frederick makes a motion to proceed with funding cycle with \$70,000 and also go on the record that top priority is to stop administrative costs coming out of fund.

Ms. Meitner stated to not put the amount of money and move forward with the process. ***Ms. Meitner made a motion to move forward with funding process with no total advertised. Second by Mr. Frederick. All in favor. Motion carries. Ms. Meitner would also like to make a motion to send a letter to the Secretary to cease***

taking money from CEPF for salaries because we have a lot less money to give out and it is adversely affecting the community and not within the spirit of the legislation which we thought was already approved. Second by Ms. Owens-White. All in favor. Motion carries. Ms. Meitner requests that Mr. Brunswick gets a list of projects that are outstanding and funding that is spoken for but not expended so that the Council knows which projects are outstanding and how much money is associated with them.

Mr. Brunswick advised an update on the Bucket Brigade from Mark Chura showed that out of the original \$58,800 contract, there was \$25,147.78 in expenses leaving \$25,732 to go to Division of Air Quality to set up mobile air monitoring stations. The funds are still there, but Mr. Brunswick hasn't been able to speak with Ali about available dates.

Mr. Pelham advised we can move to discontinue that project and keep the money. Mr. Julis advised we should go forward with the project. Mr. Brunswick advised that the original air monitoring project reports suggested that the source of some of the emissions could have come from fuel exhaust. But when the Division of Air Quality reviewed the sampling results, there were questions about the sampling QAQC. There was a generator in the vicinity of one monitor. The justification for continuing comes out of reports from several business people that fumes from the port have hit the downtown Delaware City area for years. The air monitoring volunteers had that one experience during the training session where the owner cleared customers from the outdoor deck of a restaurant because of fumes from ships unloading.

Mr. Pelham asked if it was ongoing and Mr. Brunswick replied it occurs when there are ships loading and unloading at the refinery. Mr. Julis stated that if Ali with Air Quality wanted to participate then we should go forward with it. Mr. Brunswick advised it would be have to be done with only the balance from the air monitoring grant. Mr. Pelham stated we should ask for a schedule from Ali.

Mr. Brunswick gave an update on the Cornerstone West playground project stating it was just completed. There are three parks in downtown Wilmington on West Side. There is a \$2.1 million budget for implementation of these designs. The city of Wilmington has committed a \$700,000 budget. There are different divisions in DNREC that can get funding for drainage, parks and other fundraising committee contacts to complete the funding. Mr. Pelham asked if Cornerstone would be requesting any money from the account. Mr. Brunswick advised probably not.

V. Community Ombudsman Report
A. Loan Subsidization Committee

There was a meeting on June 8 with the Financial Assistance Branch to establish a Loan Subsidization. Committee. We discussed the Charter for the committee. It will develop the policies for DNREC and DHSS to subsidize drinking water and wastewater projects for disadvantaged communities. There is about \$4.5 million in the state's revolving fund that could be used to write down interest rates or be used in other creative ways to reduce the cost of infrastructure projects for low income communities. It will be a diverse committee with membership from outside agencies. The Committee Chairperson will be an appointee from the Water Infrastructure Advisory Council. USDA is another one of the organizations that fund water and sewer projects. They were represented in the meeting. I'm anticipating that we will have other stakeholders in the future meetings. Certainly the Office of Drinking Water, maybe the Delaware State Housing Authority and county government. We will aim to keep the costs low for median household income families. Mr. Brunswick advised he will report back to the council.

B. SERCAP Annual Meeting

Mr. Brunswick advised the SERCAP annual meeting will be June 17-19 in Rehoboth Beach and will be touring three communities. The first will be Ellendale. The work in Ellendale has been focused on bringing the leadership from the town and residents from the surrounding unincorporated area together to discuss their prospects for collaborating on a drinking water system to serve both their communities. It is formally called a Situation Assessment. It will focus on their common interests, such as economic development as a reason for coming together. Mr. Truxon advised they are concerned about the housing and drinking water situation in New Hope. They (Ellendale Community Civic Improvement Association) met with Sussex County and found that Ellendale doesn't have a housing code. Mr. Brunswick advised another stop will be Morningside Village. This is a part of the ongoing effort to build the homeowners association ability to manage their finances and the upkeep of their community wastewater system. One issue that has kept Morningside residents from paying dues are the rumors that the HOA misused funds. Chris Curtain, the DOJ Common Property Ombudsman has met with the Homeowners Association. DOJ will be conducting a forensic Audit of the Morningside books. We hope to prove that there is no money misappropriated to help build the residents faith and participation in paying HOA dues. Another Morningside Village strategy is the creation of a new Sanitary Sewer District. By county regulations, registered voters can sign a petition to force Sussex County Council consider the creation of a sanitary sewer district. The county Engineering office will conduct a feasibility study. There is a public hearing and the issue goes before the County Council for a vote. We are looking at the subdivisions surrounding Morningside. There are also having problems with the financial management of their HOAs. If those communities participate in the petition process there are at least an addition 400 home that could be a part of the proposed sanitary sewer district.

Mr. Brunswick advised the third stop will be Frankford/Delaware Avenue Extended. There is a cluster of homes outside the Town limits occupied by African American families. They have complained that the Town of Frankford had received money to build a sewer line. There was a sleeve inserted in the sewer line to provide drinking water to the residents, but now Frankford refuses to connect the residents until they are annexed into town boundaries. The residents want service, but no annexation. The Town Charter establishes whether the Town will serve out of town users. The rate structure has to be cost-based and fair. He advised that they will be working with the new SERCAP director to assess the rate structure to determine whether there is any need for SERCAP Technical Assistance to develop a fair rate structure for In Town and Out-of Town users. Mr. Brunswick advised there is a workshop offered by Omega Wilson who is the Executive Director of West End Revitalization in Maben, NC on Thursday at 6:30 PM at the Mt. Zion Church. Mr. Pelham asked if there was anything for the council to do. Mr. Brunswick stated wanted to see if anyone on the council wanted to attend.

VI. Open Forum

Ms. Meitner inquired on the schedule of the meetings. It was decided to cancel the July 28th meeting with no August meeting and the next meeting date would be September 15th. Mr. Truxon addressed the council explaining he apologizes for missing several meetings due to health reasons. He continues to improve and anticipates active role again. Mr. Pelham inquired as to an update on Peninsula Recycling. Mr. Brunswick stated they had some problems with clean up going on as scheduled and that there is a potential of another fine. Mr. Thomas advised that Peninsula disagreed with the time that the state has allowed them. The state was going to extend the time period and if they went past it a fine would be given. Mr. Pelham inquired as to why there are no odors. Mr. Thomas advised they stopped accepting new materials.

VII. *The meeting adjourned at 11:30 a.m.*

Respectfully submitted,
Nicole Bixby
Administrative Specialist II, DNREC, State of Delaware

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall of presentations.